



FISCAL MEMORANDUM

SB 1546 - HB 1459

February 14, 2022

SUMMARY OF BILL AS AMENDED (013376): Authorizes a court or a magistrate to extend the minimum amount of time an offender is required to be held before release following the arrest of a person for the offense of aggravated assault in which the victim is a domestic abuse victim, in certain circumstances.

Requires a court or magistrate to issue a no contact order containing applicable bond conditions for the protection of the domestic abuse victim prior to the offender's release on bond.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 40-11-150(h)(1), a person arrested for domestic assault is required to be held for a minimum of 12 hours after the arrest, unless the magistrate or official authorized to release the offender finds that the offender is not a threat to the alleged victim.
- The proposed legislation authorizes a court or magistrate to extend the 12-hour minimum hold period up to 24 hours after the time of arrest if the court or magistrate finds probable cause to believe the respondent:
 - Caused serious bodily injury to the alleged domestic abuse victim;
 - Strangled or attempted to strangle the alleged domestic abuse victim; or
 - Used or displayed a deadly weapon.
- The proposed legislation will not result in any significant impact to local government revenue or expenditures.
- Requiring a magistrate to issue a no contact order for such offenders prior to release on bond will not substantially impact the courts.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Krista Lee Carsner, Executive Director

/vh